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June 4, 2020

Via ECF & US Mail

The Honorable Kimba Wood
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Courtroom 26A
New York, New York 10007

Re: *Sinclair v. Ziff Davis, LLC and Mashable, Inc.* (Civ. Action No. 1:18-cv-00790)

Dear Judge Wood:

I represent Plaintiff Stephanie Sinclair in the above-referenced case. Today, June 4, 2020, Ars Technica, a tech industry news publication, published an article directly quoting Facebook, parent company of Instagram and the company that drafted the online agreements in dispute in this case. Facebook made the following public admission:

"While our [Instagram's] terms allow us to grant a sub-license, we do not grant one for our embeds API," a Facebook company spokesperson told Ars in a Thursday email. "Our platform policies require third parties to have the necessary rights from applicable rights holders. This includes ensuring they have a license to share this content, if a license is required by law."

The full article is attached as Exhibit "A." Thank you for Your Honor's time and consideration.

Sincerely,
/s/ James Bartolomei
James Bartolomei, Esq.

cc: James Rosenfeld (via ECF), Attorney for Defendants
Amanda Levine (via ECF), Attorney for Defendants
George Wukoson (via ECF), Attorney for Defendants
Bryan Hoben (via ECF), Attorney for Plaintiff

EXHIBIT “A”